

SCOTT N. SCHOOLS (SCSBN 9990)
United States Attorney

FILED

2007 MAY 31 A 9:08

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S. J.

E-FILING

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAVIER VADILLO-PINEDA,

Defendant.

CR No. 07 00341

VIOLATION: 8 U.S.C. § 1326 -
Illegal Re-entry Following Deportation

SAN JOSE VENUE

JF
PVT

INFORMATION

The United States Attorney charges:

On or about February 9, 2007, the defendant

JAVIER VADILLO-PINEDA,

an alien, previously having been arrested and deported from the United States on or about July 13, 1999, March 6, 2002 and November 24, 2003, was found in the Northern District of California, the Attorney General of the United States and the Secretary for Homeland Security not having expressly consented to a reapplication by the defendant for admission

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INFORMATION

1 into the United States, in violation of Title 8, United States Code, § 1326.

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3 DATED: *May 30, 2007*

4 SCOTT N. SCHOOLS
United States Attorney

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6 DAVID R. CALLAWAY
7 Deputy Chief, San Jose Branch

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9 Approved as to form: *Benjamin T. Kennedy*

10 SAUSA Benjamin Kennedy
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DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

OFFENSE CHARGED

8 USC § 1326, Illegal Reentry

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

20 years imprisonment, \$250,000 fine, 3 years supervised release, \$100 special assessment

CR

DEFENDANT - U.S.

2007 MAY 31 A 9:10

JAVIER VADILLO-PINEDA

 RICHARD W. WIEKING
 CLERK
 U.S. DISTRICT COURT
 NO. DIST. OF CA. S.J.

DISTRICT COURT NUMBER

07 00341

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

ICE

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

 Name and Office of Person
 Furnishing Information on
 THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

BENJAMIN T. KENNEDY

DEFENDANT

IS NOT IN CUSTODY

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

 Has detainer
 been filed? ☐ Yes ☐ No

 If "Yes"
 give date
 filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☒ NO PROCESS*

☐ WARRANT Bail Amount:

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments: